



## Legislative Bulletin.....July 14, 2011

### Contents:

**Amendments to H.R. 2018** — Clean Water Cooperative Federalism Act

The following Legislative Bulletin contains information on the amendments made in order by the rule on Tuesday, July 12, 2011.

**Order of Business:** The bill is scheduled to be considered on July 13, 2011 under a structured rule that provides for one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. Lastly, the rule the rule provides one motion to recommit with or without instructions.

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### SUMMARY OF AMENDMENTS MADE IN ORDER BY THE RULE ON JULY 12, 2011

1. **Jackson Lee (D-TX).** The amendment strikes the entire bill.
2. **Jackson Lee (D-TX).** The amendment strikes section two of the bill which restricts EPA's ability to issue a revised or new water quality standard for a pollutant whenever a state has adopted and EPA already has approved a water quality standard for that pollutant, unless the state concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of the CWA.
3. **Capito (R-WV).** The amendment adds language to the bill that requires the EPA to analyze the impact, disaggregated by the state, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity. In the event that the proposed employment analysis has more than a de minimus negative impact on employment levels or economic activity in any state, the EPA must give notice of such impact to the state’s congressional delegation, Governor, and legislator at least 45 days before the effective date of the covered action.

4. ***Hanabusa (D-HI)***. The amendment adds language to the bill that requires the EPA to submit a report on any increase in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals (such as lead and mercury), or toxic metals in waters regulated by a state under the provisions of this legislation, including amendments, not later than one year after the date of enactment and annually thereafter.
5. ***Polis (D-CO)***. The amendment adds language to the bill that prohibits any of the provisions in the bill, or any of its amendments, from applying to any permit holder that is listed by the EPA as being in significant non-compliance with any requirement of the Federal Water Pollution Control Act.
6. ***Connolly (D-VA)***. The amendment adds language in the bill that prohibits any of the provisions in the bill, or any of its amendments, from applying to waters for which federal funding is provided for restoration projects, studies, pilot projects, or development of total maximum daily loads, as determined by EPA.
7. ***Deutch (D-FL)***. The amendment adds language in the bill that prohibits any of the provisions in the bill, or any of its amendments, from applying to the waters of the Everglades in the state of Florida or to the rulemaking being conducted by the EPA as of the date of enactment of the bill to develop federal water quality standards for the state of Florida's estuarine, coastal, and southern inland flowing waters.
8. ***Cohen (D-TN)***. The amendment adds language in the bill that prohibits any of the provisions in the bill, or any of its amendments, from being construed to limit the authority of the EPA to regulate a pipeline that crosses a streambed.
9. ***Markey (D-MA), DeFazio (D-OR), Capps (D-CA), Blumenauer (D-OR), Capuano (D-MA), Napolitano (D-CA), and Hirono (D-HI)***. The amendment adds language in the bill that prohibits any of the provisions in the bill, or any of its amendments, from applying to waters that, as determined by the EPA:
  - a. Provide food protection for communities;
  - b. Are valuable fish and wildlife habitat that provides benefits to the economy; or
  - c. Are coastal recreational waters.
10. ***Carnahan (D-MO)***. The amendment adds language in the bill that prohibits any of the provisions in the bill or any of its amendments from applying to:
  - a. Waters that are located in an area for which the President has declared, at any time during the preceding 5-year period, a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act due to flooding; or
  - b. Other waters that contributed to such a declaration.